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09/27/01
JC978 U.S. PTO

PATENT

JC978 U.S. PTO
60696/60
09/27/01

Practitioner's Docket No. D-1147 R1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box Patent Application
Commissioner for Patents
Washington, D.C. 20231

NEW APPLICATION TRANSMITTAL

Transmitted herewith for filing is the patent application of

Inventor(s): Jay Paul Drummond and Mark D. Smith

For (title): AUTOMATED BANKING MACHINE SYSTEM AND METHOD

1. Type of Application

This transmittal is for an original (nonprovisional) application.

2. Papers Enclosed

A. Required for filing date under 37 C.F.R. 1.53(b) (Regular) or 37 C.F.R. 1.153 (Design) Application

21 Pages of Specification
5 Pages of Claims
5 Sheets of Drawing(s)--Informal

CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) AND 1.10*
(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

[X] deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.
37 C.F.R. Section 1.8(a) 37 C.F.R. Section 1.10*

[] with sufficient postage as first class mail. [X] as "Express Mail Post Office to Address" Mailing Label No. EL918748283US mandatory)

TRANSMISSION

[] transmitted by facsimile to the Patent and Trademark Office (703)

Date: 9-27-01

Signature

Ralph E. Jocke
(type or print name of person certifying)

*WARNING: Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. Section 1.10(b). "Since the filing of correspondence under [Section] 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

B. Other Papers Enclosed

5 Pages of declaration and power of attorney
1 Page of abstract
6 Pages of Assignments
1 Page of Non-Publication Request
4 Pages of Application Data Sheet

3. Declaration or Oath

Enclosed

Executed by:
* inventors.

4. Inventorship Statement

The inventorship for all the claims in this application is the same.

5. Language

English

6. Assignment

Assignment of the invention to Diebold, Incorporated are attached. Separate FORM PTO 1595 are also attached.

7. Fee Calculation (37 C.F.R. Section 1.16)

Regular Application

| CLAIMS AS FILED | | | | | |
|--|--------------|---------------------|--------------|----------|--------------------------------------|
| Claims | Number Filed | Basic Fee Allowance | Number Extra | Rate | Basic Fee 37 CFR 1.16(a) \$710.00 |
| Total Claims (37 CFR 1.16(c)) | 17 | - 20 = | 0 x | \$18.00 | \$0.00 |
| Independent Claims (37 CFR 1.16(b)) | 2 | - 3 = | 0 x | \$80.00 | \$0.00 |
| Multiple Dependent Claim(s), if any (37 CFR 1.16(d)) | | | + | \$270.00 | \$0.00 |

Filing Fee Calculation \$710.00

8. Fee Payment Being Made at This Time

Enclosed

| | |
|--|-----------------|
| Filing Fee | \$710.00 |
| Recording assignment (\$40; 37 C.F.R. Section 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION".) | \$80.00 |
| Total Fees Enclosed | \$790.00 |

9. Method of Payment of Fees

Charge Account No. 09-0428 (InterBold) in the amount of \$790.00.
A duplicate of this transmittal is attached.

10. Authorization to Charge Additional Fees

The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No. 09-0428 (InterBold).

37 C.F.R. Section 1.16(a), (f) or (g) (filing fees)

37 C.F.R. Section 1.16(b), (c) or (d) (presentation of extra claims)

37 C.F.R. Section 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)

37 C.F.R. Section 1.17(a)(1)-(5) (extension fees pursuant to SECTION 1.136(a))

37 C.F.R. Section 1.17 (application processing fees)

11. Instructions as to Overpayment

Credit Account No. 09-0428 (InterBold).

**ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF
PRIOR U.S. APPLICATION CLAIMED**

12. Relate Back

A. 35 U.S.C. Section 119(e)

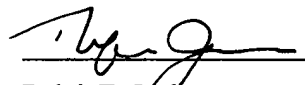
This application claims the benefit of U.S. Provisional Application No.:

APPLICATION NO.

FILING DATE

60/237,812

10/04/2000



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: **Jay Paul Drummond, et al.**)
Serial No.: **(unknown)**)
Filed: **Herewith**)
For: **AUTOMATED BANKING MACHINE**)
SYSTEM AND METHOD)
)

Non-publication Request Pursuant to 37 C.F.R. § 1.213

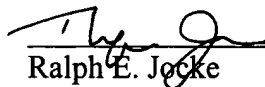
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Sir:

THE ABOVE REFERENCED APPLICATION FILED HERewith IS NOT TO BE
PUBLISHED UNDER 35 U.S.C. § 122(b).

It is hereby certified that the invention disclosed in the above-referenced application has not been and (unless this non-publication request is first rescinded in accordance with 37 C.F.R. § 1.213(b)) will not be the subject of an application filed in another country, or filed under a multilateral agreement, that requires publication of the application at eighteen (18) months after filing.

Respectfully submitted,



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